

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, FEBRUARY 5, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:02 p.m.
Mayor O'Connor adjourned the meeting at 4:40 p.m. to meet in Closed
Session in the twelfth floor conference room on Tuesday, February 6,
1990 at 9:30 a.m. on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour;Fishkin (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Roger Dallman, Pastor
of the Prince of Peace Lutheran Church.

FILE LOCATION: MINUTES

Feb-5-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Roberts.

FILE LOCATION: MINUTES

ITEM-30: (R-90-1158) ADOPTED AS RESOLUTION R-275055

Proclaiming February 4-10, 1990, to be "The Wellness
Community Week" in San Diego, in recognition of the
significant role of The Wellness Community, and commending
the many individuals who contribute to the on-going success
of this worthy program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A025-078.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not

present, Filner-yea, Mayor O'Connor-yea.

*** ITEM-50:**

Three actions relative to the Southeast San Diego Community Plan and the Sherman Heights Historic District:

(Introduced on 1/23/90. Council voted 7-0. District 6 and Mayor not present.)

(Districts-3, 4 and 8.)

Subitem-A: (O-90-90) ADOPTED AS ORDINANCE O-17418 (New Series)

Rezoning properties in the Southeast San Diego Planned District for the purpose of implementing the Southeast San Diego Community Plan.

Subitem-B: (O-90-105) ADOPTED AS ORDINANCE O-17419 (New Series)

Amending the Sherman Heights Historic District Design Criteria and Guidelines, Ordinance No. OO-16893-2.

Subitem-C: (O-90-89 Rev. 1) ADOPTED AS ORDINANCE O-17420 (New Series)

Amending Chapter X, Article 3, Division 17, of the San Diego Municipal Code by renumbering Sections 103.1700 and 103.1701 to Sections 103.1701 and 103.1702, respectively; by amending and renumbering Sections 103.1702, 103.1703, 103.1704, 103.1705, 103.1706 and 103.1707 to Sections 103.1703, 103.1704, 103.1705, 103.1706, 103.1707 and 103.1708, respectively, all relating to the Southeast San Diego Planned District; and amending Chapter X, Article 3, by repealing Division 18 relating to the Sherman Heights Historic District.

FILE LOCATION: Subitem A LAND - Southeast San Diego Planned District; Subitem B LAND - Sherman Heights Historic District; Subitem C LAND - Southeast San Diego Planned District; Sherman Heights Historic District

COUNCIL ACTION: (Tape location: A445-455.)

CONSENT MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

ITEM-51: (O-90-121) CONTINUED TO FEBRUARY 12, 1990

Introduction of an Ordinance amending Chapter IX, Article 1, Division 3, of the San Diego Municipal Code by amending Section 91.0303 relating to Permit Issuance, to establish time limits and clarify fees required.

(See Committee Consultant Analysis TLU-89-28 and City Manager Report CMR-89-562.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 12/11/89.

Recommendation to approve the Buildings Code Amendments proposed in City Manager Report CMR-89-562 and forwarded the program to the City Council for adoption. Districts 1, 2, 4, 5 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY HENDERSON TO CONTINUE TO FEBRUARY 12, 1990, AT BRET VEDDER'S REQUEST, FOR ADEQUATE TIME TO RESPOND TO THE REPORT.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-90-120) INTRODUCED, TO BE ADOPTED FEBRUARY 20, 1990

Introduction of an Ordinance amending Chapter VIII, Article 6, of the San Diego Municipal Code, by amending Section 86.06, relating to Parking, Standing, Loading Zones, Street Sweeping Zones, by authorizing the City Manager to establish or remove green curb zones for time limit parking in accordance with Section 21458(d) of the California Vehicle Code.

(See City Manager Report CMR-89-312.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 6/26/89.

Recommendation to approve the City Manager's recommendation to prepare an ordinance for the establishment of "green zones".

Districts 1, 2, and 5 voted yea. Districts 4 and 8 not present.

CITY MANAGER SUPPORTING INFORMATION: At the June 26, 1989

meeting of the Transportation and Land Use Committee, staff was directed to present an ordinance to the City Council for the establishment of "green zones". Staff recommends adoption of an ordinance for establishment of "green zones" with the following provisions:

No person shall stop, stand or park any vehicle in a green zone for over 20 minutes.

Green zones to be operative 8 a.m. - 6 p.m. daily.

Exceptions to be effective when appropriate signs are erected.

The City Manager is authorized to establish or remove any green zones.

The City Manager is authorized to install 20 minute limit parking meters with rate Zone "A" at any green zones.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A456-465.)

CONSENT MOTION BY FILNER TO INTRODUCE THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-90-964) ADOPTED AS RESOLUTION R-275056

Awarding a contract to City Chevrolet for furnishing Chevrolet auto and truck repair parts, as may be required for a period of one year beginning February 1, 1990 through January 31, 1991, for an estimated cost of \$118,000, including tax and terms, with an option to renew the contract for an additional one year period under the same terms and conditions. (BID-C1151/90)

FILE LOCATION: CONT Purchase - City Chevrolet CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-90-959) ADOPTED AS RESOLUTION R-275057

Awarding a contract to Hawthorne Engine Systems, for the purchase of two portable generators, for an actual cost of

\$74,345.74, including tax and terms; authorizing the City Auditor and Comptroller to expend funds for the purchase of said material. (BID-A1041/90)
Aud. Cert. 9000597.

FILE LOCATION: CONT Purchase - Hawthorne Engine Systems
CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-90-956) ADOPTED AS RESOLUTION R-275058
Awarding a contract to J. G. Tucker and Sons, Inc. for furnishing portable gas detectors for a total cost of \$54,969.91, including tax and terms. (BID-F0979/90)
Aud. Cert. 9000592.

FILE LOCATION: CONT Purchase - J. G. Tucker and Sons, Inc.
CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-90-966) ADOPTED AS RESOLUTION R-275059
Awarding a contract to American Processing Co., Inc. for hauling service for removing and disposing of wet scum from the Pt. Loma Wastewater Treatment Plant, as may be required for a period of one year beginning March 1, 1990 through February 28, 1991, for an estimated cost of \$55,800, with options to renew for two additional one year periods with price escalations not to exceed 15 percent of prices in effect at the end of each contract year. (BID-A1140/90)

FILE LOCATION: CONT - Purchase - American Processing Co., Inc.
CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-90-967) ADOPTED AS RESOLUTION R-275060

Awarding a contract to Mustang Equipment Company for two tow compressors and nine skid compressors, for an estimated cost of \$102,673.65. (BID-A1060/90)
Aud. Cert. 9000646.

FILE LOCATION: CONT - Purchase - Mustang Equipment Company
CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105:

Three actions relative to the Construction of Mission Bay Sewage Interceptor System (MBSIS) - Phase I:
(Mission Bay Park and Pacific Beach Community Areas.
District-6.)

Subitem-A: (R-90-968) ADOPTED AS RESOLUTION R-275061

Inviting bids for the Construction of Mission Bay Sewage Interceptor System (MBSIS) - Phase I on Work Order No. 171151; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities; authorizing the expenditure of an amount not to exceed \$2,325,474 from the Sewer Revenue Fund 41506, CIP-46-158.0, Mission Bay Sewage Interceptor System, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K1215/90)

Subitem-B: (R-90-969) ADOPTED AS RESOLUTION R-275062

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-80-0711, dated October

3, 1989, in connection with the Construction of Mission Bay Sewage Interceptor System (MBSIS) - Phase I, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-C: (R-90-970) ADOPTED AS RESOLUTION R-275063

Authorizing the use of City Forces to make connections and perform operational checks as required in connection with the Construction of Mission Bay Sewage Interceptor System (MBSIS) - Phase I; declaring that the cost of said work shall not exceed \$6,000.

19900205

CITY MANAGER SUPPORTING INFORMATION: In April 1989, the City Council amended the Capital Improvement Program by adding the Mission Bay Sewage Interceptor System (MBSIS) in order to protect the remaining portion of Mission Bay and the San Diego River from non-point source pollutant flows (i.e. grease, oil, fertilizer) and any sewage spills during dry weather. The MBSIS project is divided into four phases, to be designed and constructed over the next five years. Implementation of the MBSIS is required by California Regional Water Quality Control Board as part of their Cease and Desist Order No. 87-89. To avoid disturbing new surface improvements, construction of a portion of MBSIS Phase I was authorized by City Council in July 1989, as part of a Park and Recreation Department project, Sail Bay Development Phase III. Phase I improvements include the construction of 8 new interceptor systems, 5 gravity and 3 pumped systems, that provide interception capability for 14 existing storm drains along the northern perimeter of Mission Bay. Pump stations are located along Rose Creek at Garnet Avenue, along Pacific Beach Drive near Noyes Street, and along Sail Bay at Fanuel Street. Two of the gravity systems are also located along Sail Bay with the other three located in Crown Point. In addition, telemetry controls will be added to the 8 existing East Bay Interceptor Sewer System (MBSIS) sites. Aud. Cert. 9000534.

WU-P-90-066.

FILE LOCATION: W.O. 171151 CONT - CAL Southwest Construction Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106:

Two actions relative to the final subdivision map of Carmel Mountain Ranch Unit No. 22A, a 203-lot subdivision located southeasterly of North City Parkway and Rancho Carmel Drive:

(Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-90-1081) ADOPTED AS RESOLUTION R-275064
Authorizing the execution of a Subdivision Improvement Agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-90-1080) ADOPTED AS RESOLUTION R-275065
Approving the final map.

FILE LOCATION: SUBD - Carmel Mountain Ranch Unit No. 22A
CONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-90-990) ADOPTED AS RESOLUTION R-275066

Approving the acceptance by the City Manager of that grant deed of Eugene and Lois Jean Calman, granting to the City a portion of Lots 67 and 69 of Portion of the Ex-Mission Lands of San Diego known as Horton's Purchase; authorizing the expenditure of an amount not to exceed \$5,000, consisting of \$1,500 from Water Utilities Department Fund CIP-73-083.0 (Annual Allocation Water Main Replacements) and \$3,500 from Property Department Fund CIP-39-004.0 (Annual Allocation for Right-of-Way Parcels), for acquisition and related costs of the above described property.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The purpose of this action is to request authorization by the City Council for acquisition by the City of San Diego of the last portion of right-of-way necessary for the full grading and paving of Delta

Street. Delta Street lies easterly of 43rd Street in the Southeast San Diego area. The centerline of the street is the National City boundary line. While funds for paving are not immediately available, the Water Utilities, Engineering and Development, and Property Departments are recommending acquisition at this time in order to remedy currently existing encroachments by both a City water line and by grading which was

inadvertently done in connection with adjoining building construction. The property owner has agreed to the sale of this parcel at its fair market value in lieu of filing an inverse condemnation suit.

Aud. Cert. 9000552.

WU-PR-90-073.

FILE LOCATION: DEED F-5170 DEEDFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108: (R-90-1117) CONTINUED TO FEBRUARY 12, 1990

Authorizing the Mayor and City Clerk to execute a deed conveying to San Diego Gas & Electric Company, an easement for electric service through a portion of Lake Hodges water shed southwesterly of Lot 835 of Westwood Unit No. 16.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: As a requirement of Westwood Unit No. 16, Subdivision Map-9588, an existing overhead power line must be converted to underground facilities. As the original easement provides for overhead lines only, this easement will allow the underground process to be accomplished. This is part of the City's effort to underground electric service. SDG&E will quitclaim the existing easement back to the City in exchange for this new easement. Both easements are considered of equal value.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A515-573.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 12, 1990, AT THE CITY MANAGER'S REQUEST, TO ALLOW TIME TO PROVIDE THE INFORMATION REQUESTED BY COUNCIL MEMBER WOLFSHEIMER WITH RESPECT TO THE EASEMENT LOCATION. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-90-935) ADOPTED AS RESOLUTION R-275067

Approving the acceptance by the City Manager of a street easement deed of Tony E. Parker and Julie Ann Morris Parker, granting to the City the southeasterly 10.00 feet of Lot 62 in Empire Addition to Encanto Heights; dedicating said land as and for a public street and naming the same Radio Drive.
(Southeast San Diego Community Area. District-3.)

FILE LOCATION: DEED F-5172 DEEDFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-90-1077) ADOPTED AS RESOLUTION R-275068

Authorizing the City Manager to permanently set aside 9.2 acres of land southerly of Sea World Drive as a salt marsh mitigation area, 7.6 acres of which are to serve as mitigation for the City's South Shore Park project, and 1.6 acres as mitigation for the Sea World lease expansion; accepting the \$133,000 previously expended by Sea World for grading and construction of the total mitigation area as consideration to the City for setting aside the 1.6 acres for the Sea World expansion, with additional consideration of approximately \$6,000 to be spent by Sea World to complete the mitigation site; authorizing Sea World, Inc. to use the former Atlantis Restaurant site as a

banquet/conference center to be available to the general public, and as a commissary for the catering, preparation and serving of food at the restaurant site and within the confines of the balance of the Sea World Park leasehold.

(Mission Bay Park Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: There are two questions needing formal resolution which have arisen in connection with the proposed sale of Sea World Inc. to Busch Entertainment, Inc.:

1. The change in the use of the former Atlantis Restaurant site to a banquet, meeting, and in-park catering center instead of a freestanding restaurant. This change was made in 1986 after the Atlantis Restaurant closed. The catering center is currently generating \$125,000 per year in revenues to the City, which is equivalent to the amount previously projected for the restaurant. Busch has requested formal recognition in the lease of this change of use and the City Manager recommends approval.
2. The obligation imposed on the City and Sea World by the State and Federal wildlife agencies for a total of 9.2 acres of Mission Bay Park land south of Sea World Drive to be dedicated as a salt marsh mitigation area. This mitigation area is needed to satisfy the requirement for development of the City's South Shore Park (7.6 acres mitigation) and the 25-acre Sea World expansion of 1985 (1.6 acres mitigation). The entire cost of the mitigation has been borne by Sea World and totals approximately \$133,000 to date, with additional costs of approximately \$6,000 to come. Sea World will be required to contribute proportionate funds for continued maintenance of the mitigation area.

In order to assist in the closing of the sale to Busch Entertainment, Inc., the City Manager recommends: 1) that Sea World's assumption of the cost for the development of the 9.2-acre mitigation site, i.e., grading, irrigation, etc., serve as the full consideration for the value of the property used by Sea World for mitigation purposes (1.6 acres); 2) that the changed use of the Atlantis Restaurant be approved.

FILE LOCATION: LEAS - Sea World Inc.

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111:

Two actions relative to the De La Fuente Business Park,
Phase II, Assessment District No. 4021: (Improvement Act
of 1913)

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-90-1068) ADOPTED AS RESOLUTION R-275069

Accepting the petition for the De La Fuente Business Park
Assessment District Phase II.

Subitem-B: (R-90-1069) ADOPTED AS RESOLUTION R-275070

Accepting from the De La Fuente Business Park, Inc. the sum
of \$104,500, as a cash advance for consulting services and
City advances; authorizing the execution of Assessment
District Reimbursement Agreement and Acquisition/Financing
Agreement with De La Fuente Business Park, Inc.;
authorizing the execution of an agreement for Assessment
Engineering Services with Willdan Associates; authorizing
the execution of an agreement for Financial Consultant
Services with Kadie-Jensen and Johnson Municipal Financing
Consultants, Inc.; authorizing the Special Counsel
Agreement for Bond Counsel Services with Brown and Diven;
authorizing the City Auditor and Comptroller to establish
the De La Fuente Business Park Phase II, Assessment Fund
No. 79620.

CITY MANAGER SUPPORTING INFORMATION: De La Fuente Business
Park encompasses 312 acres of industrial land. Development has
been broken down into three phases. Phases I, II and III
consist of 70, 64, and 178 acres respectively. On February 28,
1989, Council confirmed assessments for the acquisition of
public improvements for the De La Fuente Business Park Phase I
Assessment District. The developer is prepared to construct
additional public improvements under Phase II.

These improvements will consist of grading, curb and gutter,
sidewalk, paving, water, sewer, street lights, traffic signals,

and miscellaneous utilities which are proposed to be acquired by
the City through assessment district proceedings. Phase III
will be developed after Phase II has been completed. The
proposed development has one single land owner. A petition was
submitted to the City and signed by the land owner, thereby
representing 100 percent of the land owners proposed to be
assessed in Phase II. Upon completion of Phase II, a public
hearing will be held to levy assessments for these improvements.
The developer has requested that the same consultant team which
provided services for Phase I also provide the services for

Phase II.
Aud. Cert. 9000625.

FILE LOCATION: STRT D-2283 CONTFY90-4

COUNCIL ACTION: (Tape location: A575-630.)

MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-90-1090) ADOPTED AS RESOLUTION R-275071

Recognizing the Third Annual Southern California High School Invitational Drill Competition and the invaluable contribution this makes to the betterment of life for these cadets and America's Finest City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-90-1141) ADOPTED AS RESOLUTION R-275072

Requesting that the Commissioners of the National Hockey League and the National Basketball Association grant the

approval necessary to operate their respective franchises in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-90-1154) ADOPTED AS RESOLUTION R-275073

Excusing Mayor Maureen O'Connor from attending the regularly scheduled City Council meetings of January 23, 29

and 30, 1990, due to out of town travel to the U.S. Conference of Mayors in Washington, D.C. and other official City business in the U.S.S.R. in connection with cultural exchange.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-115: (R-90-1137) ADOPTED AS RESOLUTION R-275074

Declaring that the policy expressed in Council Policy 600-36, Section F, authorizes the City Engineer to impose conditions including but not limited to, payment of the Facilities Benefit Assessment (FBA) in effect at the time of release of a Public Facilities Phasing Plan Threshold as a requirement for the issuance of Certificates of Occupancy.

(City Manager Report CMR-89-297.)

CITY MANAGER SUPPORTING INFORMATION: On June 20, 1989, the City Council adopted revisions to Council Policy 600-36 regarding the allocation of building permits in North University City when building permit issuance is limited by a Public Facilities Phasing Plan. The Council approved North University City Public Facilities Phasing Plan limits the issuance of building permits until such time as certain traffic or park thresholds have been satisfied. Section F of the Council Policy allows applicants to request building permit issuance on the condition that Certificates of Occupancy will be withheld until the phasing plan threshold has been satisfied. In order to be issued building permits under this section, an applicant must acknowledge, in writing, all conditions the City Engineer requires to be satisfied prior to any right of occupancy. The purpose of this action is to clarify that the City Engineer is requiring that the Facilities Benefit Assessment (FBA) in effect at the time of the satisfaction of the phasing plan threshold be paid prior to the issuance of Certificates of Occupancy.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A635-B065.)

MOTION BY WOLFSHEIMER TO ADOPT AND REQUEST STAFF TO LOOK AT COUNCIL POLICY 600-36, SECTION F AND MAKE SURE THAT THE LANGUAGE IS CLEAR. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-116: (R-90-1128 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-275075

Authorizing the City Auditor and Comptroller to establish a new special revenue fund (102402), for the purpose of administering the Commercial Facade Improvement Rebate Program in Mid-City and Golden Hill; authorizing the transfer of an amount not to exceed \$60,000 from the Industrial Development Revenue Bond Administrative Expense (10240) Fund to the 102402 Fund, for the purpose of funding the Rebate Program for Mid-City and Golden Hill. (Mid-City and Golden Hill Community Areas. Districts-2, 3 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Commercial Facade Improvement Program was originally approved by Council

19900205

Resolution R-265316 on March 31, 1986 as a commercial rehabilitation component of the overall Mid-City and North Park Revitalization Plan. The program reimburses commercial property and business owners located within specific geographic boundaries of these communities for exterior building improvements in accordance with established design guidelines. Currently, half the cost of the improvements are reimbursed under the Program, up to a maximum of \$5,000 per storefront. Up to five hours of architectural design services are also provided. Thirty-eight rebate projects have been completed to date. \$135,844 in City funds have directly leveraged a total of \$642,936 in community reinvestment. Additional funding is now required to continue the Program, which has a backlog of pending applications and no money remaining. In order to complement other City commercial revitalization programs, staff recommends the following Program policy refinements:

1. Add the Golden Hills Planned District as an additional eligible area;
 2. Increase the minimum private match requirement from 1:1 to 2:1;
 3. Consider the relationship of applicant projects to City public improvement project areas and Business Improvement Districts in prioritizing funding decisions;
 4. Increase maximum architectural design services from five to ten hours per project.
- Aud. Cert. 9000613.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B066-145.)

MOTION BY ROBERTS TO ADOPT AND INCLUDE OCEAN BEACH IN THE REBATE PROGRAM. Second by Bernhardt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-117: (R-90-1093) ADOPTED AS RESOLUTION R-275076

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 from CIP-29-730, Lake Murray Community Park - Playground Equipment, Fund No. 30245, to CIP-29-665, Lake Murray Community Park - Phase III, Fund No. 30244, to supplement funds previously authorized by the Council for the purchase of playground equipment;

authorizing the expenditure of an amount not to exceed \$25,000 from CIP-29-665, Lake Murray Community Park Phase III, Fund No. 30244, solely and exclusively for the purpose of providing supplemental funds for the above project;
authorizing the City Auditor and Comptroller to transfer unexpended funds, if any, to the appropriate reserves upon advice of the administering department.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The Lake Murray Community Park - Playground Equipment project (CIP-29-730) provides \$25,000 to purchase playground equipment for this park. The Lake Murray Community Park - Phase III project (CIP-29-665) is currently under construction, and includes the construction

of the sand filled ring for a tiny tots facility. The project was short funded and did not include play equipment. This requested transfer of funds will allow the contractor to provide and install the play equipment and avoid the need to prepare and process a separate contract.
Aud. Cert. 9000580.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-118: (R-90-1041) ADOPTED AS RESOLUTION R-275077

Modifying the Fiscal Year 1990, Capital Improvements Program, Annual Appropriations Budget, Ordinance No. O-17326, by the addition of CIP-68-012.0 (new), Annual Allocation - Installation of City-owned Street Lights in High Crime Areas; authorizing the City Auditor and Comptroller to transfer the sum of \$50,000 from CIP-52-293 (Gas Tax Fund), Annual Allocation - Installation of City-owned Street Lights, to CIP-68-012.0.

CITY MANAGER SUPPORTING INFORMATION: On July 10, 1989 the T&LU Committee considered City Manager Report CMR-89-337.

The Committee referred to the City Council, for approval and implementation, the issue of additional street lighting in areas

identified by the Police Department as locations where additional lighting would increase their ability to provide enforcement. The FY '90 budget had been approved prior to this request. There is no Capital Improvement Program (C.I.P.) for street lights in high crime areas. Funds available in the FY '90 budget that could be used to partially fund this need is CIP-52-293, Annual Allocation - Installation of City-owned Street Lights. These funds are used completely each year, thus, a transfer of funds from this C.I.P. would delay other street lights that meet Council Policy 600-4 from being installed. To minimize this impact, \$50,000 is being recommended as a one-time only transfer to CIP-68-012.0 (new), Annual Allocation - Installation of City-owned Street Lights in High Crime Areas. The Police Department will identify areas where additional lighting would increase their ability to provide enforcement.

The Engineering and Development Department will administer the street lighting designs and installations for the Police Department after their selection of the areas in highest need.
Aud. Cert. 9000573.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B146-360.)

MOTION BY PRATT TO ADOPT AND DIRECT THE CITY MANAGER TO BRING BACK A LIST IN 30 DAYS OF THE LOCATIONS FOR THE STREET LIGHTS.

Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-90-1049) ADOPTED AS RESOLUTION R-275078

Authorizing the expenditure of an amount not to exceed \$11,478 from Gas Tax Fund 32191, CIP-37-028, Annual Allocation, Undergrounding of City Utilities, as payment to San Diego Gas and Electric Company, for the purpose of purchasing and installing two new street lights to replace existing pole mounted street lights in the Genesee Avenue (Linda Vista Road to Highway 163) Underground Utility District.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: As part of the City's Utility Undergrounding Program, existing pole-mounted street

lights must be replaced with new street lights when the overhead utilities are removed. Since the City now owns all street lights, it is necessary for the City to pay this cost. SDG&E has estimated the cost of purchasing and installing new street lights to be \$11,478 if installed by their contractor. The City has the option of purchasing and installing this street light through a City contract. The City cost estimate for this project is \$12,530, which is more than SDG&E's cost estimate.
Aud. Cert. 9000569.

FILE LOCATION: STRT K-173

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-90-1088) ADOPTED AS RESOLUTION R-275079

Authorizing the expenditure of an amount not to exceed \$30,485 from Gas Tax Fund 32191, CIP-37-028, Annual Allocation, Undergrounding of City Utilities, as payment to San Diego Gas & Electric Company for the purchase and installation of six new street lights to replace existing pole mounted street lights in the Garnet Avenue (Pendleton Street to Soledad Mountain Road) Underground Utility District.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: As part of the City's Utility Undergrounding Program, existing pole-mounted street lights must be replaced with new street lights when the overhead utilities are removed. Since the City now owns all street lights, it is necessary for the City to pay this cost. SDG&E has estimated the cost of purchasing and installing new street lights to be \$30,485 if installed by their contractor. The City has the option of purchasing and installing these street lights through a City contract. The City cost estimate for this project is \$32,136, which is more than SDG&E's cost estimate. Aud. Cert. 9000611.

FILE LOCATION: STRT K-178

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-90-1054) ADOPTED AS RESOLUTION R-275080

Establishing a parking time limit of 2 hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of Canon Street between Scott Street and Shafter Street; authorizing the installation of the necessary signs and makings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed two-hour time limit zone on Canon Street was petitioned by property

owners representing 100 percent of the affected frontage. This location is near other time limit parking zones, and therefore is expected to receive a reasonable level of enforcement. A parking study conducted at the proposed block face indicated that a two-hour parking time limitation is in fact justified. This request meets the requirements of Council Policy 200-4 for the establishment of a two-hour time limit parking zone. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-90-1130) ADOPTED AS RESOLUTION R-275081

Authorizing the City Manager to renew the option on the contractual agreement with Applied Behavioral Systems to conduct follow-up equal employment opportunity and intradivisional communications training, together with modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the contract and agreement; authorizing the expenditure of an amount not to exceed \$25,000 from Sewer Revenue Fund No. 41506 for the purpose of providing funds for the above renewal of contract.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This request is to renew and extend the current contract with Applied Behavioral Systems, as allowed for in the present contract, for an additional six months. Applied Behavioral Systems, under the provisions of the current contract, has completed initial training for the Water Utilities Department/Metro Division on Equal Employment Opportunity and Organizational Development. The requested extension will allow for additional days of follow-up on the provided training over the next six months. In addition, during the training it was determined that it would benefit the Division to improve intradivisional communication skills. The

City's Organization Effectiveness Program will no longer provide these ongoing services and has recommended that the Water Utilities Department proceed with this extension of the Applied Behavioral Systems contract to accomplish this work.

Aud. Cert. 9000620.

WU-U-90-078.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123: (R-90-1079) ADOPTED AS RESOLUTION R-275082

Authorizing the execution of an agreement with Burkett and Wong, Structural Engineers, for professional services in connection with the Botanical Building and Museum of Man Tower, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purpose and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$39,500 from the Transient Occupancy Tax Unappropriated Reserve for Balboa Park Improvement Projects, Fund No. 102242, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds, if any, to the appropriate reserves upon advice of the administering department.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On September 28, 1988 the City Council approved a change in the Transient Occupancy Tax rate and allocated General Funds in an amount equivalent to the revenue from 1 percent of the T.O.T. to improvements within Balboa Park. The adopted Balboa Park Master Plan identifies the Botanical Building and The Museum of Man as two of the buildings in need of improvements. The Botanical Building is an open-framed steel structure with wooden lattice work attached to the frames. The structural steel frame shows evidence of extensive corrosion due to exposure to the weather and the moist plant environment resulting from irrigation. This project provides for a complete structural investigation of the

structure's elements and detailed recommendations for corrective measures. The Museum of Man tower contains structural steel bracing and an access stairway structure that exhibits serious corrosion. This project will provide recommendations for structural correction and prevention of future corrosion.

Conrad/Loveland/JC

Aud. Cert. 9000600.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-90-1076) ADOPTED AS RESOLUTION R-275083

Authorizing the execution of a first amendment to the agreement with Engineering Alliance, Inc. for professional design services in connection with the Chollas pump overhaul, together with modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the amendment; authorizing the expenditure of an amount not to exceed \$84,004, consisting of \$42,002 from Water Revenue Fund No. 41502, CIP-73-295, and \$42,002 from Sewer Revenue Fund No. 41506, CIP-46-137, for the purpose of providing funds for the amendment; authorizing the City Manager to finance or refinance the project with tax exempt securities, if circumstances warrant.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Council authorized an agreement with Engineering Alliance, Inc. on May 31, 1988 (R-271058) for design of the Chollas Pump Overhaul Shop. The agreement provided for the design of a new 20,000 square foot pump overhaul shop at Chollas Operations Station, for a design fee of \$269,000. In light of the City's Water Conservation Program and due to the fact that the City's water resources are limited, the preliminary report recommended construction of a new water reclamation system to reclaim the water utilized for the testing of water meters. This system will reclaim 100 percent of the water used in the testing. This proposed design fee increase of \$72,209 and a design contingency of \$11,795 (5 percent of the total design cost) is needed for the design of

the water reclamation system. The proposed subconsultants, their associated tasks and percentages of the prime consultant's task are as follows: Phelps Engineering - industrial 6 percent; GEM Engineering - mechanical 14 percent; Brown & Zammit Engineering, Inc. - electrical 12 percent; Bemet Dainwood Engineers, Inc. - civil 2 percent; Woodward-Clyde Consultants - soil 7 percent; Enartec Consulting Engineering, Inc. (MBE) - water meter test system 19 percent.
Aud. Cert. 9000606.
WU-U-90-065.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-90-1135) ADOPTED AS RESOLUTION R-275084
Authorizing the execution of an agreement with James M. Montgomery Consulting Engineers, Inc. for professional services in connection with the North Metro Interceptor Sewer, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$67,166 within the Sewer Revenue Fund, No. 41506, Sewer Construction Outlay (No. 70492), from CIP-43-093.0, Island Avenue Sewer Interceptor, to CIP-46-104.0, North Metro Interceptor; authorizing the expenditure of an amount not to exceed \$1,534,166 from the Sewer Revenue Fund, No. 41506, CIP-46-104.0, North Metro Interceptor, for the purpose of providing funds for the above project.
(See City Manager Report CMR-90-44. Pacific Highway and Midway Community Areas. District-2.)
Aud. Cert. 9000623.
WU-U-90-062.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-90-1078) ADOPTED AS RESOLUTION R-275085

Authorizing the execution of an agreement with Foster Engineering, Inc. for professional services in connection with fire suppression systems in the Museum of Man, Museum of Art, Museum of Natural History, and Casa de Balboa, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purpose and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$30,000 from the Transient Occupancy Tax Unappropriated Reserve for Balboa Park Improvement Projects, Fund No. 102242, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds, if any, to the appropriate reserves upon advice from the administering department.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On September 28, 1988 the City Council approved a change in the Transient Occupancy Tax rate and allocated General Funds in an amount equivalent to the revenue from 1 percent of the T.O.T. to improvements within Balboa Park. The adopted Balboa Park Master Plan identifies the Museum of Man, Museum of Art, The Natural History Museum and the Casa de Balboa as buildings in need of Improvements. The Museum of Man, Museum of Art, The Natural History Museum and the Casa de Balboa have a variety of fire suppression systems ranging from none to localized incomplete ones. There is a need to install, coordinate and/or augment the fire suppression, fire alarm and indicating systems in these buildings. This agreement will provide for the investigation of existing systems, the design of efficient systems and the professional engineering support in the administration of construction contracts for the improvements.

Aud. Cert. 9000602.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127:

Two actions relative to the encroachment of a subterranean parking structure on Lewis Street:
(Uptown Community Area. District-2.)

Subitem-A: (R-90-1095) ADOPTED AS RESOLUTION R-275086

Authorizing the execution of an encroachment agreement with Trevi Medical Plaza, Ltd., for the encroachment of a subterranean parking structure beyond the curb line on Lewis Street in connection with the construction of buildings on Lots 13-16, Block 9, Fifth Street Addition.

Subitem-B: (R-90-1096) ADOPTED AS RESOLUTION R-275087

Certifying that the information contained in Environmental Negative Declaration END-88-0774, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Section 62.0303 of the Municipal Code requires City Council authorization for underground structures which extend into the public right-of-way further than the ultimate curb line. The applicant, the Trevi Group, desires to construct a four-story office building with three levels of underground parking at 330 Lewis Street. The proposed underground parking structure as designed would encroach into the public right-of-way, and therefore, be subject to Council action.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-128: (R-90-1065) CONTINUED TO FEBRUARY 12, 1990

Authorizing the execution of an amendment and restatement to the South Bay Land Outfall Memorandum of Understanding

with the California Water Resources Control Board, United

States Section of the International Boundary and Water Commission, and United States Environmental Protection Agency, in connection with transboundary sewage flows from Tijuana, Mexico, to clarify the roles and responsibilities of the signatory agencies, together with modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement.

(See City Manager Report CMR-90-38. San Ysidro and Tijuana River Valley Community Areas. District-8.)
WU-CWP-90-090.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY FILNER TO CONTINUE TO FEBRUARY 12, 1990, AT THE CITY MANAGER'S REQUEST, TO AWAIT RECEIPT OF THE EPA AGREEMENT.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-129:

Two actions relative to South Shores Development Phase I:
(Mission Bay Park Community Area. District-6.)

Subitem-A: (R-90-1104) ADOPTED AS RESOLUTION R-275088
Approving Change Order No. 2, dated September 14, 1989,
issued in connection with the contract with T.B. Penick &
Sons, Inc. in connection with South Shores Development
Phase I, amounting to a net increase in the contract price
of \$109,637.75.

Subitem-B: (R-90-1105) ADOPTED AS RESOLUTION R-275089
Approving Change Order No. 3, dated November 16, 1989,
issued in connection with the contract with T.B. Penick &
Sons, Inc. in connection with South Shores Development
Phase I, amounting to a net decrease in the contract price
of \$1,295,764.98.

FILE LOCATION: CONT - T.B. Penick & Sons, Inc. CONTFY90-2

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-90-1066) ADOPTED AS RESOLUTION R-275090

A Resolution approved by the City Council in Closed Session on Tuesday, December 5, 1989 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$67,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Wei Zhang, Lei Zhang, and Yong Zhang, (Superior Court Case No. 596787, Wei Zhang, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$67,500 made payable to Wei, Lei, and Yong Zhang and Marc Adelman, attorney, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claims of Wei Zhang, Lei Zhang, and Yong Zhang against the City of San Diego, its agents and employees, resulting from an incident which occurred on June 7, 1987.
Aud. Cert. 9000585.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-90-957) ADOPTED AS RESOLUTION R-275091

Awarding contracts for the purchase of medical supplies, as may be required for the period of one year beginning December 15, 1989 through December 14, 1990, for an estimated cost of \$57,669.55, including tax and terms, as follows:

1. Dixie USA, Inc. for Section I - Fire Department Storeroom, with options to renew the contract for four additional one-year periods with no increase in prices.
 2. Pacific Safety Equipment Co. for Section II - Various Storerooms, with options to renew the contract for four additional one-year periods with price increases not to exceed 7 percent in effect at the end of the prior year.
 3. Emergency Medical Products, Inc. for Section III - Canvas Bags, with options to renew the contract for four additional one-year periods with no increase in price.
- (BID-F1040/90)
Aud. Cert. 9000593.

FILE LOCATION: CONT - Purchase - Dixie USA, Inc.; Pacific Safety Equipment Co.; Emergency Medical Products, Inc. CONTFY90-3

COUNCIL ACTION: (Tape location: A465-512.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-90-925) RETURNED TO THE CITY MANAGER

(Continued from the meeting of January 8, 1990, Item 120, at Deputy Mayor Wolfsheimer's request, for a report from the Navy to determine whether or not a school will be built on that site.)

Authorizing the City Manager to negotiate for the sale of Site 13C to the San Diego Hebrew Day School, and if feasible, to provide for the use of a portion of the property by the Free Serbian Orthodox Church; authorizing the City Manager, as part of the negotiations, to include a potential acquisition of the portion of Stevenson Canyon owned by the Hebrew Day School as part of the consideration for the acquisition of Site 13C.

(See City Manager Report CMR-89-515. University Community Area. District-1.)

COMMITTEE ACTION: Initiated by PFR on 11/8/89.
Recommendation to redesignate all of Site 13C as a sale

parcel and authorize the City Manager to: 1) Negotiate a sale-terms agreement with the San Diego Hebrew Day School and Free Serbian Orthodox Church and 2) Investigate the feasibility of including Stevenson Canyon as part of the acquisition payment. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY WOLFSHEIMER TO RETURN TO THE CITY MANAGER, AT THE MANAGER'S REQUEST, TO BE REDOCKETED AFTER SANDAG COMPLETES ITS REVIEW. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-151: (R-90-1138) ADOPTED AS RESOLUTION R-275092

Authorizing the City Manager to donate \$100,000 to the National Academy of Sciences to support its study of opportunities to improve wastewater management for urban coastal areas; authorizing the expenditure of an amount not to exceed \$100,000 from the Sewer Revenue Fund No. 41506, CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, for the purpose of providing funds for the above study.

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(See City Manager Report CMR-90-21.)

COMMITTEE ACTION: Reviewed by PSS on 1/17/90. Recommendation to move to City Council pending the receipt of additional assurance that San Diego will be included in the study, additional information on the content of the study, and information on other coastal cities' contribution to the study. Districts 3, 4, and 5 voted yea. Districts 2 and 7 not present. Aud. Cert. 9000641. WU-CWP-90-097.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-152:

Two actions relative to Storm Drain Fees:

(See City Manager Report CMR-90-08.)

Subitem-A: (O-90-74) INTRODUCED, TO BE ADOPTED FEBRUARY 20, 1990

Introduction of an Ordinance amending Chapter VI, Article 4, Division 4 of the San Diego Municipal Code by amending Section 64.0404 and Section 64.0408 relating to Storm Drain Service Charges.

Subitem-B: (R-90-672) ADOPTED AS RESOLUTION R-275093

Adoption of a Resolution authorizing the City Manager to collect a fee, to be designated as the Storm Drain Fee, on all water and sewer utility bills collected in the City of San Diego; authorizing the City Auditor and Comptroller to create a Storm Drains Revenue Fund in order to collect such storm drain fees and to expend such revenues solely to: 1) reimburse the General Fund for costs associated with storm drain main maintenance; 2) reimburse the Water Utilities Enterprise Fund (No. 41506) for costs associated with

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collection and administration of the program and provide cash advances to the program; and 3) provide cash advances from the Water Utilities Enterprise Fund (No. 41506) as may be required subject to reimbursement from the Storm Drain Fund.

COMMITTEE ACTION: Reviewed by PSS on 1/17/90. Recommendation to approve the City Manager's recommendation and requested the City Manager to return with alternative methods to assess fees based on runoff and review the program in the City of Los Angeles. Districts 3, 4 and 5 voted yea. Districts 2 and 7 not present.
WU-S-90-079.

FILE LOCATION: Subitem A--; Subitem B MEET

COUNCIL ACTION: (Tape location: A465-512.)
CONSENT MOTION BY McCARTY TO APPROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: CONTINUED TO MARCH 12, 1990
(Continued from the meeting of January 8, 1990, Item 52, at the City Attorney's request, to comply with SB 255.)
Two actions relative to Satellite Antennas:
(Introduced on 12/12/89. Council voted 7-0. Districts 3 and 6 not present.)
Subitem-A: (O-90-77)
Amending Chapter X, Article 1, Division 1, of the San Diego Municipal Code by amending Section 101.0101.94, relating to the definition of Satellite Antennas, to include "satellite earth stations," "television-reception-only satellite antennas" (TVRO's), and "satellite microwave antennas".
Subitem-B: (O-90-78)
Amending Chapter X, Article 1, Division 6, of the San Diego Municipal Code by amending Section 101.0630, relating to Satellite Antennas in industrial, Scientific Research (SR) and commercial zones.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B461-C110.)
MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 12, 1990, AT THE ZONING ADMINISTRATOR'S REQUEST, FOR FURTHER REVIEW. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-90-98) ADOPTED AS ORDINANCE O-17421 (New
Series)

(Continued from the meeting of January 8, 1990, Item 56, at
the City Attorney's request, to comply with SB 255.)

Amending the Golden Hill Planned District Ordinance O-17382
N.S. (O-90-56), Section 3, that was adopted October 30,
1989, to require the obtainment of a Golden Hill PDO Permit
from the Planning Department prior to the introduction date
of the ordinance to be exempt from the new regulations, and
require a complete building permit application to have been
submitted prior to October 17, 1989, in order to be exempt
from the provisions of the revised Golden Hill Planned
District Ordinance.

(Districts-4 and 8. Introduced on 12/5/89. Council voted
8-0. Mayor not present.)

FILE LOCATION: LAND - Golden Hill Planned District

COUNCIL ACTION: (Tape location: C111-169;C386-462.)

Motion by Henderson to continue for 30 days for an opportunity
to explore the issue. No second.

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-202: (O-90-73) ADOPTED AS ORDINANCE O-17422 (New
Series)

(Continued from the meeting of January 8, 1990, Item 55, at
the City Attorney's request, to comply with SB 255.)

Amending Chapter X, Article 1, Division 9, of the San Diego
Municipal Code, by amending Section 101.0901 relating to
Planned Residential Developments to:

- 1) Exclude streets and other common access areas from the
calculation for residential density; and,
- 2) Require the usable open space area to have a minimum
area of 100 square feet with a minimum dimension of six
feet on one side to satisfy the calculation for usable
open space.

(Introduced on 12/5/89. Council voted 8-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-90-1129) CONTINUED TO FEBRUARY 13, 1990 AT 2:00 P.M.

In the matter of discussing and establishing priorities for the expenditure of Unallocated Reserve Funds.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE ITEMS 203, 204, 205, 206, 207, 208 AND S403 TO FEBRUARY 13, 1990, AT HER REQUEST, SO THAT THE CITY MANAGER AND CITY ATTORNEY CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL MEMBERS. ALSO, DIRECT THE CITY MANAGER TO UNDERTAKE A MORE THOROUGH REVIEW OF APPROPRIATED, BUT UNEXPENDED, FY 90 FUNDS THAT MAY NOT BE IMPACTING ON PUBLIC SAFETY, AND BRING THAT LIST BACK TO COUNCIL FOR DISCUSSION. THAT THE CITY ATTORNEY BRING BACK THE INFORMATION WITH RESPECT TO THE RECLASSIFICATION FOR PLACING SOME POSITIONS IN THE UNCLASSIFIED SERVICE WHICH HAS TO GO BEFORE THE CIVIL SERVICE COMMISSION. APPROVE THE DIRECTIVES AS FOLLOWS: BY COUNCIL MEMBER WOLFSHEIMER THAT THE CITY ATTORNEY PROVIDE A MORE DETAILED LIST OF THE LITIGATION EXPENDITURES INDICATING HOW THAT \$2 MILLION IS GOING TO BE ALLOCATED. REQUEST BY COUNCIL MEMBER McCARTY THAT A BREAKDOWN BE PROVIDED FOR THE \$100,000 FOR GROWTH MANAGEMENT. REQUEST BY COUNCIL MEMBER HARTLEY_TO_HAVE THE

CITY

MANAGER CHECK ON THE EXPENSES DURING THE PAST YEAR FOR THE CIVIC CENTER COMPLEX. INDICATE WHAT ARE THE COMMITMENTS MADE AND HOW

MUCH HAS BEEN SPENT ON THAT. REQUEST BY COUNCIL MEMBER FILNER THAT THE CITY MANAGER PROVIDE DETAILS ON WHAT THE \$1.5 MILLION SPENT ON THE MERGER (SOUTHERN CALIFORNIA EDISON CO. AND SDG&E) IS ABOUT. GIVE THE PREVIOUS EXPENSES SO THAT IT WILL BE KNOWN EXACTLY WHAT IS BEING SPENT ON THIS AND PROVIDE A FURTHER

ANALYSIS OF THAT. REQUEST BY MAYOR O'CONNOR THAT THE CITY ATTORNEY ASK THE PUC (PUBLIC UTILITIES COMMISSION) TO DETAIL SOUTHERN CALIFORNIA EDISON'S AND SDG&E's EXPENDITURES ON THE FIGHT REGARDING THE MERGER FOR LOBBYISTS, ATTORNEYS, ETC. REQUEST BY COUNCIL MEMBER ROBERTS THAT THE CITY MANAGER, AS PART OF THE BACKUP, ATTACH A LIST OF ALL OF THOSE PROGRAMS THAT HAD TO BE CUT LAST YEAR AND THAT DID NOT GET FUNDED, SUCH AS, NEW FIRE EQUIPMENT, LIBRARY HOURS, TREE TRIMMING, ETC. ALSO, LOOK INTO THE POSSIBILITY OF ESTABLISHING SOME UNIFORM BUDGETS FOR EACH OF THE COUNCIL DISTRICTS AND MAYBE USING THOSE LEFT-OVER FUNDS WITHIN THE DISTRICTS, AS OPPOSED TO HIRING ADDITIONAL STAFF. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (O-90-140) CONTINUED TO FEBRUARY 13, 1990, AT 2:00 P.M.

First public hearing in the matter of:
Amending Ordinance No. O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the

Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of Council District 1 (021) by adding one Council Representative II position; exempting the Council Representative II position from Classified Service; establishing a salary rate; and authorizing the Auditor and Comptroller to transfer the sum of \$20,000 from the Unallocated Reserve (605) to Council District 1 (021) to fund the position.

Aud. Cert. 9000621.

NOTE: See Item 332 on the docket of Tuesday, February 6, 1990 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE ITEMS 203, 204, 205, 206, 207, 208 AND S403 TO FEBRUARY 13, 1990, AT HER REQUEST, SO THAT THE CITY MANAGER AND CITY ATTORNEY CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL MEMBERS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (O-90-139) CONTINUED TO FEBRUARY 13, 1990, AT
2:00 P.M.

First public hearing in the matter of:

Amending Ordinance O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1989-90 and Appropriating the Necessary Money
to Operate the City of San Diego for said Fiscal Year" by
amending Document No. 00-17326-1, as amended and adopted
therein, by amending the personnel authorization of Council
District 4 (024) by adding one Council Representative II
position; exempting the Council Representative II position
from the Classified Service; establishing a salary rate;
and authorizing the Auditor and Comptroller to transfer the
sum of \$16,000 from the Unallocated Reserve (605) to
Council District 4 (024) to fund the position.

Aud. Cert. 9000633.

NOTE: See Item 333 on the docket of Tuesday, February 6, 1990,
for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 13, 1990, AT 2:00
P.M., AT HER REQUEST, SO THAT THE CITY MANAGER AND CITY ATTORNEY
CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL MEMBERS.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-206: (O-90-123) CONTINUED TO FEBRUARY 13, 1990, AT
2:00 P.M.

First public hearing in the matter of:

Amending Ordinance O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1989-90 and Appropriating the Necessary Money
to Operate the City of San Diego for said Fiscal Year" by
amending Document No. OO-17326-1, as amended and adopted
therein, by amending the personnel authorization of Council
District 5 (025) by adding two (2.00) Council

Representative II positions; exempting the Council
Representative positions from the Classified Service;
establishing a salary rate.

NOTE: See Item 334 on the docket of Tuesday, February 6,
1990, for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 13, 1990, AT 2:00
P.M., AT HER REQUEST, SO THAT THE CITY MANAGER CAN PROVIDE THE
INFORMATION REQUESTED BY THE COUNCIL MEMBERS. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (O-90-99) CONTINUED TO FEBRUARY 13, 1990, AT
2:00 P.M.

First public hearing in the matter of:

Amending Ordinance No. O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1989-90 and Appropriating the Necessary Money
to Operate the City of San Diego for said Fiscal Year" by
amending Document No. OO-17326-1, as amended and adopted
therein, by amending the personnel authorization of Council
District 6 (026) by adding one Council Representative II
position; exempting the Council Representative II position
from Classified Service; establishing a salary rate; and
authorizing the Auditor and Comptroller to transfer the sum
of \$25,000 from the Unallocated Reserve (605) to Council
District 6 (026) to fund the position.

Aud. Cert. 9000477 Rev.

NOTE: See Item 335 on the docket of Tuesday, February 6,
1990 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 13, 1990, AT 2:00
P.M., AT HER REQUEST, SO THAT THE CITY MANAGER AND CITY ATTORNEY
CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL MEMBERS.
Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-208: (O-90-136) CONTINUED TO FEBRUARY 13, 1990, AT
2:00 P.M.

First public hearing in the matter of:

Amending Ordinance No. O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1989-90 and Appropriating the Necessary Money
to Operate the City of San Diego for said Fiscal Year" by
amending Document No. OO-17326-1, as amended and adopted
therein, by amending the personnel authorization of Council
District 8 (028) by adding one Council Representative II
position; exempting the Council Representative II position

from Classified Service; establishing a salary rate; and
authorizing the Auditor and Comptroller to transfer the sum
of \$22,500 from the Unallocated Reserve (605) to Council
District 8 (028) to fund the position.

Aud. Cert. 9000622.

NOTE: See Item 336 on the docket of Tuesday, February 6,
1990 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 13, 1990, AT 2:00
P.M., AT HER REQUEST, SO THAT THE CITY MANAGER AND THE CITY
ATTORNEY CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL
MEMBERS. Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-209:

Two actions relative to the installation of street lights
in high crime areas:

(See City Manager Report CMR-89-337.)

Subitem-A: (O-90-124) HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance No. O-17326 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1990 and Appropriating the Necessary Money to

Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by increasing the General Services Department's Communication and Electrical Division General Fund and increasing the General Fund Revenue estimates for the purpose of installing street lights in high crime areas.

NOTE: See Item 337 on the docket of Tuesday, February 6, 1990 for the introduction and adoption of the ordinance.

Subitem-B: (R-90-1042) CONTINUED TO MARCH 12, 1990

Authorizing the expenditure of an amount not to exceed \$25,000 from CIP-68-012.0, solely and exclusively for the purpose of providing funds for the installation of street lights in high crime areas; authorizing the use of City work forces, not to exceed \$25,000, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On 7/10/89, the TLU Committee considered City Manager Report CMR-89-337. The Committee referred to the City Council, for approval and implementation, the issue of additional street lighting in areas identified by the Police Department as locations where additional lighting would increase their ability to provide enforcement. The FY '90 budget had been approved prior to this request. Funds are to be transferred by Resolution from the FY '90 budget, CIP-52-293, Annual Allocation - Installation of City-owned Street Lights, to CIP-68-012.0 (new), Annual Allocation - Installation of City-owned Street Lights in High Crime Areas. The Police Department will identify areas where additional lighting would increase their ability to provide enforcement. The Engineering and Development Department will administer the street lighting designs and installations for the Police Department after their selection of the areas of highest need. The use of City Forces is recommended in order to save labor, engineering and inspection costs, and expedite the installation time. CIP-68-012.0 was a Non-Budgeted item for FY '90, therefore, the General Services Budget needs to be increased for the reimbursement from this CIP.
Aud. Cert. 9000573.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C170-201.)

MOTION BY ROBERTS TO APPROVE SUBITEM A AND CONTINUE SUBITEM B TO MARCH 12, 1990, AT THE CITY MANAGER'S REQUEST, TO COME BACK AT

THE TIME THAT THE STREET LOCATIONS ARE TO BE PROVIDED. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (R-90-1050) ADOPTED AS RESOLUTION R-275094

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of

an Underground Utility District to be known and denominated as the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District.
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Balboa Avenue between Clairemont Drive and 2,700' east of Clairemont Drive. This is a scheduled project in the calendar year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9000568.

FILE LOCATION: STRT K-191

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: (R-90-946) ADOPTED AS RESOLUTION R-275095

(Continued from the meeting of January 8, 1990, Item 107, at the City Attorney's request, to comply with SB255.)
Inviting bids for the Installation of a Planetarium Chiller on Work Order No. 118871; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or

refinance this project with tax exempt securities;
certifying that the information contained in END-88-0868
has been completed in compliance with the California
Environmental Quality Act of 1970 and State CEQA
Guidelines, and that said Declaration has been reviewed and
considered by the Council; authorizing the expenditure of
an amount not to exceed \$272,600 from CIP-37-426, FD No.

19900205

97800, Planetarium Underground HAVC Piping Replacement -
(renamed Planetarium Chiller Installation), for providing
funds for said project and related costs; authorizing the
City Auditor and Comptroller, upon advice from the
administering department, to transfer excess budgeted
funds, if any, to the appropriate reserves. (BID-K1155/90)
(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: An earlier Council
action authorized the design and construction of a chilled water
generating system at the Reuben H. Fleet Space Theater and
Science Center in Balboa Park. The present underground chilled
water supply system which serves the facilities air conditioning
system has developed leaks and is unreliable. The basic chiller
equipment is provided under a separate contract. This action
will provide for the installation, piping, insulation,
electrical, controls and start up service. A screening
structure will also be provided for weather protection and
security. The location and screening of the equipment has been
reviewed by the various Park and Recreation Committees and the
Planning Department. The installation will be made at the west
end of the building adjacent to a lower level truck delivery
area in space that will not impact on park usage. SDG&E is
providing a \$56,000 subsidy as an incentive for using a gas
fired chiller vs. the electric motor drive type. The gas unit
is not subject to demand charges which will lower utility costs
and provide an independent, dependable source of chilled water.
Aud. Cert. 9000450.

FILE LOCATION: W.O. 118871 CONT - SAN MARCOS MECHANICAL, INC.
CONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-212: (R-90-1133 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-275096

Selecting recommended boundaries for the Mid-City
Redevelopment Project Area.

(See City Manager Report CMR-90-39. Mid-City Community
Area. Districts-3, 7, and 8.)

19900205

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C204-385.)

MOTION BY HARTLEY TO ACCEPT THE CITY MANAGER'S RECOMMENDATION
AND TO ADOPT AS AMENDED BY CHANGING THE NAME MID-CITY
REDEVELOPMENT PROJECT AREA TO CITY HEIGHTS REDEVELOPMENT
PROJECT

AREA. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-213: (R-90-891 Corr.Copy) ADOPTED AS RESOLUTION R-275097

(Continued from the meetings of January 16, 1990, Item 330,
and January 23, 1990, Item S500; last continued at Council
Member McCarty's request, for the City Attorney to meet
with the Attorney for SANDAG to work out any concerns they
might have.)

A proposal to approve an amendment to the San Diego
Association of Governments (SANDAG) Joint Powers Agreement
(JPA) establishing SANDAG as the Regional Planning and
Growth Management Review Board proposed in Proposition C.
Adoption of a Resolution approving the amendment to the
agreement.

CITY MANAGER SUPPORTING INFORMATION: In November 1988, the
voters approved Proposition C, an advisory measure proposing
establishment of a Regional Planning and Growth Management
Review Board. The issues listed by the measure to be addressed

by the Board are: quality of life standards and objectives; holding capacities; growth rate policies; growth phasing; regional land use distribution; growth monitoring; open space preservation; significant regional arterials; transportation system management; transportation demand management; siting and financing regional facilities; consistency of regional and local plans; and regional growth management strategy. As proposed by Proposition C, a Blue Ribbon Committee was established consisting of representatives of the cities and the County, and formulated its recommendation which would be carried out by this Amendment to the SANDAG Joint Powers Agreement (JPA).

19900205

On September 12, 1989 the Council approved in concept establishment of the Regional Planning and Growth Management Review Board as envisioned by Proposition C, through amendment to the existing SANDAG JPA.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: C463-D127.)

Hearing began at 4:01 p.m. and halted at 4:18 p.m.

Testimony by Dr. Freilich.

MOTION BY BERNHARDT TO ADOPT AND INCLUDE INTO THE AGREEMENT THOSE AREAS OF REGIONAL CONCERNS IN REGARD TO AFFORDABLE HOUSING

AND A REVIEW OF DEVELOPMENTS IN TERMS OF REGIONAL IMPACTS.

ADOPT A RESOLUTION APPROVING THE AMENDMENT TO THE JPA AGREEMENT

AND ADOPT THE RESOLUTION PREPARED BY THE CITY ATTORNEY TO BE ATTACHED TO THE AMENDED AGREEMENT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: (R-90-1420) ADOPTED AS RESOLUTION

R-275110

During consideration of the above regular business item, the following resolution was adopted.

A resolution which states that the City of San Diego requests SANDAG to immediately begin preparing a Ninth Amendment to the JPA Agreement, which incorporates the resolution attached to the amendment and any other additional provisions Council has approved today.

19900205

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C463-D127.)

MOTION BY BERNHARDT TO ADOPT A RESOLUTION THAT STATES THAT THE CITY OF SAN DIEGO REQUESTS SANDAG TO IMMEDIATELY BEGIN PREPARING A NINTH AMENDMENT TO THE JPA AGREEMENT, WHICH INCORPORATES THE RESOLUTION ATTACHED TO THE AMENDMENT AND ANY OTHER ADDITIONAL PROVISIONS COUNCIL HAS APPROVED TODAY. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400:

Three actions relative to the widening of La Jolla Village Drive:

(University City Community Area. District-1.)

Subitem-A: (R-90-1161) ADOPTED AS RESOLUTION R-275098

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$3,232,000 from Facilities Benefit Assessment Fund 79001 to CIP-53-041.0, La Jolla Village Drive Improve - Overpass and Provide Interchange, for the purpose of interchange and bridge improvements and for extra CalTrans engineering costs; authorizing the expenditure of an amount not to exceed \$6,352,000 from University Community FBA Fund 79001, CIP-53-041.0, La Jolla Village Drive - Improve I-5 Overpass and Provide Interchange, for the purpose of providing funds for the above project; authorizing the transfer of excess funds, if

any, to the appropriate reserve, upon advice from the administering department.

Subitem-B: (R-90-1162) ADOPTED AS RESOLUTION R-275099

Authorizing the execution of a Cooperative Agreement with the State of California for joint participation in the widening of La Jolla Village Drive at Interstate Route 5.

Subitem-C: (R-90-1163) ADOPTED AS RESOLUTION R-275100

Authorizing the execution of a second amendment to the agreement with Boyle Engineering Corporation, to provide additional design and construction documents for the widening of La Jolla Village Drive at Interstate Route 5.

CITY MANAGER SUPPORTING INFORMATION: This project will improve the existing I-5 interchange and signalize the off-ramps at La Jolla Village Drive. The proposed improvements include widening La Jolla Village Drive from four to six lanes; widening the I-5 overcrossing from four to seven lanes; widening the existing I-5 on and off ramps; signalization at the off ramp termini; drainage facilities and landscaping. This project is NUC-46 in the North University City Public Facilities Financing Plan approved June, 1989. Plans, specifications and estimates have been forwarded to CalTrans for advertising for bids and construction. Award of contract is expected in June 1990. Authorization and execution of a Cooperative Agreement between the City of San Diego and CalTrans is requested for the

construction phase of this project. This agreement identifies the City's financial obligations and CalTrans' responsibility for advertising, award and administering the construction of the project. The "Second Amendment to Agreement" is to compensate the City consultant an additional \$115,000 for extra engineering and revisions to drawings necessitated by increases in the estimated traffic volumes and changes in the project scope required by CalTrans. The total project cost has increased as a result of additional improvements required during the final design phase.

Aud. Cert. 9000654.

FILE LOCATION: MEET CONTFY90-1;CCONTFY90-1

COUNCIL ACTION: (Tape location: A465-512.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-90-961) ADOPTED AS RESOLUTION R-275101

(Continued from the meeting of January 29, 1990, Item 101,
at Council Member Henderson's request, for a report from
the City Manager on the feasibility of anti-locking brakes
and a leasing option.)

Awarding a contract to University Ford Chrysler/Plymouth
for the purchase of 118 police patrol cars (1990 Ford LTD
Crown Victoria Model "S"), for a total cost of
\$1,401,456.06, less trade-in allowances, as follows:

Unit		
Trade-In Equipment	Allowance	Extension
5 1984 Ford LTD	\$1,315	\$ 6,575
28 1986 Ford LTD	\$2,365	\$ 66,220
36 1987 Ford Crown Victoria	\$2,875	\$103,500
Total Trade-In Allowance		\$176,295

Authorizing the expenditure of an amount not to exceed
\$1,247,295.89, from Department No. 110, Organization No.
200, Object Account No. 6010, and Job Order No. 111475, and
\$154,160.17 from Department No. 110, Organization No. 305,
Object Account No. 6010, and Job Order No. 111291, for

providing funds for said project and related costs;
authorizing the City Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.

(BID-C1109/90)

Aud. Cert. 9000590.

FILE LOCATION: CONT - Purchase - University Ford
Chrysler/Plymouth CONTFY90-1

COUNCIL ACTION: (Tape location: B455-460.)

MOTION BY HENDERSON TO ADOPT. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-90-963) ADOPTED AS RESOLUTION R-275102

(Continued from the meeting of January 29, 1990, Item 102,
at Council Member Henderson's request, for a report from
the City Manager on the feasibility of anti-locking brakes
and a leasing option.)

Awarding a contract to University Ford Chrysler/Plymouth
for the purchase of four police sedans (1990 Ford LTD Crown

Victoria LX SD), seven police sedans (1990 Ford LTD Crown Victoria), and twenty police sedans (1990 Ford Tempo GLS SD), for a total cost of \$316,628.65, including tax, trade-in and terms, as follows:

	Unit	Allowance	Extension
Trade-In Equipment			
3 1986 Ford Crown Victoria "S"		\$3,065	\$ 9,195
14 1985 Ford LTD		\$2,015	\$28,210
7 1984 Ford LTD		\$1,715	\$12,005
Total Trade-in Allowance			\$49,410

Authorizing the expenditure not to exceed:

Amount	Dept.	Org.	Account	Job Order
\$ 12,665.15	110	316	6010	111280
\$ 22,164.01	110	320	6010	111223
\$ 12,665.15	110	386	6010	111506
\$ 88,656.02	110	431	6010	111490

\$ 31,662.87	110	494	6010	111456
\$120,318.87	110	495	6010	111460
\$ 28,496.58	110	496	6010	111474

for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-C1110/90)
Aud. Cert. 9000598.

FILE LOCATION: CONT - Purchase - University Ford
Chrysler/Plymouth CONTFY90-1

COUNCIL ACTION: (Tape location: B455-460.)

MOTION BY HENDERSON TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (O-90-141) CONTINUED TO FEBRUARY 13, 1990, AT
2:00 P.M.

First public hearing in the matter of:
Amending Ordinance No. O-17326 (New Series), as amended, by amending the personnel authorization of Council District 3 by adding one Council Representative II position; exempting the position from the Classified Service and setting a salary rate for the new position.

NOTE: See Item S500 on the supplemental docket of Tuesday, February 6, 1990, for the introduction and adoption of the Ordinance.

NOTE: This item is to be taken in conjunction with Items 204, 205, 206, 207 and 208 on the regular docket of Monday, February 5, 1990.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A085-440.)

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 13, 1990, AT 2:00 P.M., AT HER REQUEST, SO THAT THE CITY MANAGER AND CITY ATTORNEY CAN PROVIDE THE INFORMATION REQUESTED BY THE COUNCIL MEMBERS.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-90-975) ADOPTED AS RESOLUTION R-275103

Awarding a contract to T & J Garage, Inc. for the purchase of seven recycling trucks (Crane Carrier LET 23C with medium duty frame option) for a total cost of \$625,682.56, including tax and terms; authorizing the expenditure of an amount not to exceed \$583,387, from Department No. 75141, Object Account 6013, and Fund No. 41200, for providing funds for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C-1176/90)

FILE LOCATION: CONT - Purchase - T & J Garage, Inc.
 CONTFY90-1

COUNCIL ACTION: (Tape location: B361-450.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY ATTORNEY

Request by Council Member Henderson to refer the question regarding whether to close the tenth floor to the press to the City Attorney.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D130-160.)

COUNCIL COMMENT:

ITEM-CC-2: REFERRED TO THE RULES COMMITTEE

Request by Deputy Mayor Wolfsheimer to refer the question regarding the need to legislate courtesy on the tenth floor to the Rules Committee.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D161-193.)

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER AND CITY ATTORNEY

Public comment by Eliseo Medina regarding Paramedic Volunteers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D195-420.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:40 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D421-427).